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14, SOUTH SQUARE,
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LONDON, W.C.1.

6th March, 1969.
AIRMAIL

George J. Brandt Jr.,
Messrs. Watson, Leavenworth, Kelton & Taggart,
100 Park Avenue,
New York 17,
New York,
U. S. A.

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WLK & T
MAR 10 1969

FILE 582-454 Gt. Britain

Dear Sir,

British Patent Application No. 57606/67
Corresponding to U.S. Serial No. 609,204
Case 582-454. Philip Morris Inc. Our
Folio A/11770:CJW

We enclose a copy of an Official Letter which has been issued in connection with the above British Patent Application.

You will observe that no prior art has been cited by the Examiner, but that he has raised various objections to the clarity of the specification, and in particular of the claims.

The first six paragraphs of the Official Letter may be summarised by stating firstly that the claims at present on file do not meet the requirements of British practice, since they are not clear and succinct, and do not adequately define the invention claimed; and secondly, that the description contains a number of statements that are not clearly consistent with the claims, so that the claims are not apparently fairly based on the disclosure of the body of the specification. In view of these objections, please let us have your authority to make such amendments to the description as we consider necessary to bring the specification into conformity with normal British practice. Furthermore, please let us know whether you wish to supply us with a further set of claims, or whether you would like us also to prepare suitable amendments to the claims to meet the objections raised by the Examiner. If you wish us to prepare amendments to the claims and wish us to take account of any prior art cited against the corresponding United States Application, or any other corresponding foreign applications, and which was available in Great Britain prior to the 13th January, 1967, please let us have details of such art.

Cont'd...

DUE DATE 6/6/69
DOCKETED 3/11/69
BY GH
NOTED

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Regarding the seventh and eighth paragraphs of the Official Letter, the paragraph of the specification commencing at page 3, line 14 appears to be redundant. Furthermore, we agree with the Examiner that the definitions of the terms "process liquor" and "process liquid" appearing on pages 8 and 9 of the specification are inadequate, and should preferably appear earlier in the specification. We imagine that the "process liquid" does contain insoluble materials, other than tobacco particles, but does not contain any insoluble tobacco particles. If this is so, then it should bemade clear in the definition of the term "process liquid".

Concerning the ninth paragraph of the Official Letter, please let us have your authority to delete the two passages mentioned, since to do so would undoubtedly improvethe clarity of the specification. For the same reason, the passage to which reference is made in the tenth paragraph of the Official Letter should also be deleted.

The objection of the Examiner in the eleventh paragraph of the Official Letter would also appear to be correct, in view of the use of the word "natural". Presumably the intended meaning is that of the word "conventional", and we would recommend that this word should be used instead. The objections to the term "delivered to" appears to arise from the use of the reference numeral 10 to indicate in the drawings comminuted stems, and to indicate in the description stems prior to comminution. This objection may readily be overcome by the insertion of a further reference numeral, such as 10', into the specification and Figure 1 of the drawings, to indicate the tobacco stems prior to comminution in the device 12, and by suitable consequent amendment of the Specification.

We can attend to the points raised in the twelfth paragraph of the Official Letter, ourselves.

Theobjections of the thirteenth paragraph of the Official Letter would appear to be met by making amendments such as replacing "25%" in line 19 of page 19 by "1:3", since the ration to which reference is made in the preceding line is that of the tobacco solubles to water, and not of the tobacco solubles to the total.

The information conveyed by table 3 is not fully clear to us, and we should be glad to receive your comments on the matters raised by the Examiner in paragraph fourteen of the Official Letter, Please also let us know the significance of the terms "RTD" and "Filling power index" as used in the specification.

LENN

Please confirm the full middle names of Donald G. Michels and Henry B[illegible] so that we can insert this information on the Application Form.

cont'd...

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Although no term has been appointed for filing a response to the Official Letter, in order to allow ample time for the completion of prosecution work by the normal date for acceptance viz 19th June, 1970, we would recommend that a response to the Official Letter should be filed by the 19th August, 1969. Please therefore let us have your instructions in good time before that date.

Yours faithfully,

J. A. KEMP & CO.

CRH/CJW/JET.

Enc.

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